



CITY OF
HAYWARD
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DATE: February 2, 2010
TO: Mayor and City Council
FROM: City Clerk
SUBJECT: Adoption of Ordinance Adding Section 11-2.47 to Chapter 11, Article 2 of the Hayward Municipal Code Establishing Prohibitions on Water Waste Activities and Adopting Penalties and Fines for Violations

RECOMMENDATION

That the City Council adopts the Ordinance introduced on January 26, 2010.

BACKGROUND

The ordinance was introduced by Council Member Halliday at the January 26, 2010, meeting of the City Council with the following vote:

AYES:	Council Members:	Zermeño, Quirk, Halliday, May, Henson, Dowling
	Mayor	Sweeney
NOES:	Council Members:	None
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

The ordinance was published in the Hayward Daily Review on Saturday, January 30, 2010. Adoption at this time is therefore appropriate.

Recommended by: Miriam Lens, City Clerk

Approved by:

Gregory T. Jones, City Manager

Attachment: Draft Ordinance Published on January 30, 2010

**PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE
BY THE CITY COUNCIL OF THE CITY OF HAYWARD**

AN ORDINANCE ADDING SECTION 11-2.47 TO CHAPTER 11, ARTICLE 2 OF THE
HAYWARD MUNICIPAL CODE ESTABLISHING PROHIBITIONS ON WATER WASTE
ACTIVITIES AND ADOPTING PENALTIES AND FINES FOR VIOLATIONS

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Findings and Determinations

Section 2. Upon the effective date of this Ordinance, Ordinance No. 93-10 is hereby repealed.

Section 3. Upon the effective date of this Ordinance, Section 11-2.47 is hereby enacted to read in full as follows:

SEC. 11-2.47 Prohibition of Nonessential Water Use

Section 4. Severability. Should any part of this Ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this Ordinance, which shall continue in full force and effect, provided that the remainder of Ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 5. Effective Date. In accordance with the provisions of Section 620 of the City Charter, this Ordinance shall become effective 30 days from and after the date of its adoption.

Introduced at a meeting of the Hayward City Council held January 26, 2010, the above-entitled ordinance was introduced by Council Member Halliday.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on February 2, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the office of the City Clerk.

Dated: January 30, 2010
Miriam Lens, City Clerk
City of Hayward